

PATENT

REMARKS

Claims 1-13 are pending in the present application. In the above amendments, Applicants amend claims 1, 5, and 12.

In the Office Action mailed February 9, 2005, Examiner rejected claims 1-13 under 35 U.S.C. §103(a) as being unpatentable over Kanerva et al. (U.S. Patent. No. 5,930,233), hereinafter referred to as Kanerva.

Applicants respectfully respond to this Office Action.

Claim Rejections – 35 USC § 103(a)

Claims 1-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kanerva.

Applicants amend claims 1, 5, and 12 to highlight the distinction between Applicants' claims and Kanerva. Specifically, Applicants amend claims 1, 5, and 12 to highlight monitoring the first channel and a second channel for the delayed Radio Link Protocol frame, wherein the first and second channel are code-multiplexed to allow **concurrent transmission** of the unsequentially received Radio Link Protocol frame and the delayed Radio Link Protocol frame, and further wherein the second channel is configured to allow transmission of Radio Link Protocol frames within **physical layer frames of a different length** than that of physical layer frames of the first channel. These amendments are fully supported by Applicants' specification as originally filed. (Please see, for example, page 4, line 27 through page 5, line 12 and pages 11-12).

Kanerva does not teach or suggest a first and a second channel that are code-multiplexed to allow **simultaneous transmission of the frames**. Rather, Kanerva states the receiving party may ensure that the missing frame has not been moved to be **sent later** in the same group or in the **next group** (please see Abstract).

Further, Kanerva does not teach or suggest multiple channels **capable of differing physical layer frame lengths**.

Therefore, all of Applicants' claims are allowable over Kanerva.

PATENT**REQUEST FOR ALLOWANCE**

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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By: 

Rupit Patel, Reg. No. 53,441
(858) 651-7435

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 658-5787
Facsimile: (858) 658-2502